

PETER C. HARVEY
ATTORNEY GENERAL OF NEW JERSEY

Division of Law
124 Halsey Street
P.O. Box 45029
Newark, NJ 07101

By: Carol G. Jacobson
Deputy Attorney General
(973) 648-3453

FILED

JUN 11 2004

Division of Consumer Affairs

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS

**IN THE MATTER OF AN INVESTIGATION
BY THE NEW JERSEY DIVISION OF
CONSUMER AFFAIRS**

of

Administrative Action

**POLISH AMERICAN CARE AGENCY, L.L.C.
a.k.a. AFFORDABLE POLISH CARE**

CONSENT ORDER

Respondent

This matter having been opened by the Division of Consumer Affairs, Office of Consumer Protection (hereinafter referred to as "Consumer Affairs" or "Division"), as an investigation in order to ascertain whether violations of the New Jersey Consumer Fraud Act, N.J.S.A. 56:8-1 et seq. (hereinafter referred to as the "CFA") and the Employment and Personnel Services Act, N.J.S.A. 34:8-43 et seq. (hereinafter referred to as the "Act") and its regulations, N.J.A.C. 13:45B-1 et. seq., have been or are being committed by Polish American Care Agency, L.L.C. a.k.a. Affordable Polish Care (hereinafter referred to as the "Respondent") and it appearing that the parties have reached an amicable agreement thereby resolving the issues in controversy and concluding this matter without the need for further action and Respondent

having voluntarily cooperated and consented to the entry of the within Consent Order without having admitted any fact or violation of law, and for good cause shown,

IT IS on this 11 day of June, 2004, ORDERED and AGREED as follows:

BUSINESS PRACTICES

1. Respondent, its principals, officers, agents, representatives and employees shall not engage in any unfair or deceptive acts or practices in the conduct of their business in the State of New Jersey and shall comply with such state laws, rules and regulations as now constituted or as may hereafter be amended, including but not limited to, the CFA, the Act and the regulations promulgated pursuant thereto, in connection with employment and personnel services.
2. Respondent shall include in all its advertisements offering employment, personnel services or products, the Respondent's business name and address as it appears on the license or registration form, as set forth in N.J.A.C. 13:45B-12.1(a).
3. Respondent shall not misrepresent the identity of an individual or the identity of a company in an advertisement or solicitation, as set forth in N.J.A.C. 13:45B-12.1(b).
4. Respondent shall complete and submit a new Fee Schedule, to reflect its current pricing, to the Supervisor of the Regulated Business Section of the Division of Consumer Affairs.

PAYMENT TO THE STATE

5. Respondent shall pay the Division of Consumer Affairs the sum of \$500 as a civil penalty pursuant to N.J.S.A. 34:8-61 and \$368.60 as reimbursement for the

Division's costs pursuant to N.J.S.A. 34:8-62. The aforesated amounts, totaling \$868.60 shall be submitted together with this Consent Order fully executed by Respondent.

6. The aforesated payment for penalties and costs shall be made by certified check, attorney trust account check or other guaranteed funds made payable to the "New Jersey Division of Consumer Affairs" and shall be delivered to the following:

Attention: Case Management Tracking

New Jersey Department of Law and Public Safety

Division of Consumer Affairs

124 Halsey Street

P.O. Box 45025

Newark, NJ 07101

7. If, after the signing of this Consent Order, Respondent engages in any act or practice which constitutes a violation of the CFA, the Act, the regulations promulgated pursuant to these laws or this Consent Order, Respondent shall be subject to the imposition of enhanced penalties pursuant to N.J.S.A. 56:8-13, N.J.S.A. 56:8-18 and/or N.J.S.A. 34:8-61 without prejudice to Respondents' right to present evidence in mitigation and affirmative defenses.

GENERAL PROVISIONS

8. Nothing contained in this Consent Order shall be construed to limit or affect the rights of any persons or entities who are not parties to this Consent Order with respect to any of the matters contained herein.

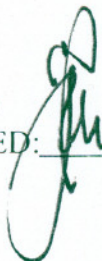
9. Nothing contained herein shall in any manner or fashion be construed to limit or affect any position that the parties may take in any future or pending action not specifically encompassed herein.
10. This Consent Order resolves all claims and causes of action against Respondent for violation of the Consumer Fraud Act, N.J.S.A. 56:8-1 et seq., and the Employment and Personnel Services Act, N.J.S.A. 34:8-43 et. seq., promulgated pursuant thereto, which were known by the Division through December 12, 2003.
11. The parties represent that an authorized representative of each has signed this Consent Order with full knowledge, understanding and acceptance of its terms and that this person has done so with the authority to legally bind the respective parties.
12. This Consent Order constitutes the entire agreement between the parties hereto and shall bind the parties hereto and their respective officers, directors, agents, employees, successors and assigns.
13. Respondent shall not represent or imply that any advertising procedure or other act or practice hereinafter used or engaged in by Respondent has been required or approved, in whole or part, by the Attorney General or the Division of Consumer Affairs or any of the State's agencies or agents.
14. The parties acknowledge that for purposes of enforcement of this Consent Order, New Jersey law shall govern the terms and provisions herein.
15. This Consent Order constitutes a final agency Order and shall be effective upon filing.

PETER C. HARVEY,
ATTORNEY GENERAL OF NEW JERSEY

BY:


Reni Erdos, Director New Jersey
Division of Consumer Affairs

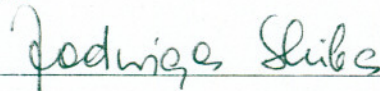
DATED:

 June 11, 2004

The undersigned has read this Consent Order, understands it, and agrees to be bound by its terms.
Consent is hereby given as to the form and entry of this Order.

Polish American Care Agency, L.L.C.
a.k.a. Affordable Polish Care
Respondent

BY:



DATED:

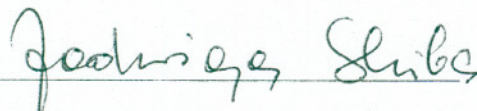
6/3/04

TITLE:

PRESIDENT

Polish American Care Agency, L.L.C.
a.k.a. Affordable Polish Care

BY:



DATED:

6/3/04

TITLE:

PRESIDENT

Jadwiga Skiba, as owner of
Polish American Care Agency, L.L.C.
a.k.a. Affordable Polish Care

Consent as to the form and entry of this Order


Christopher Canada, Esq.
Attorney for Respondent

DATED:

6/3/04